



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,213	11/20/2001	Vincent E. Parla	CIS01-06(4183)	7385

7590

12/02/2004

Barry W. Chapin, Esq.
CHAPIN & HUANG, L.L.C.
Westborough Office Park
1700 West Park Drive
Westborough, MA 01581

EXAMINER

ANYA, CHARLES E

ART UNIT	PAPER NUMBER
----------	--------------

2126

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/044,213

Applicant(s)

PARLA ET AL.

Examiner

Charles E Anya

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-38 are pending in this application.

Claim Objections

2. Claims 16 and 17 are objected to because of the following informalities:

Claim 14 includes two sending steps on lines 2 and 6 as such "the step of sending" in claims 16 and 17 does not clearly show which of two sending steps of 14 is been referred to.

3. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 32-39 have been renumbered as 32-38.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

5. Claims 14-16 and 32-34 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,779,044 B1 to Zintel.

6. As to claim 14, Zintel teaches in an event generation client, a method for processing events comprising: sending event registration information including identifying event information required to process event data (RegisterUpnpEventsource() Col. 32 Ln. 10 – 38, Col. 33 Ln. 50 – 67); detecting an event (SumbitUpnpPropertyEvent() Col. 33 Ln. 1 – 42); in response to detecting an event, creating event data (Col. 33 Ln. 24 – 25, Col. 34 Ln. 1 – 8); and sending the event data to an event processing server (“...subscribers...” Col. 33 Ln. 1 – 28, HTTP Server 626 Col. 34 Ln. 15 – 25).

7. As to claim 15, Zintel teaches the method of claim 14 wherein the step of creating event data includes formatting the event data in a mark-up language format capable of transmission via a hyper-text transport protocol (Col. 29 Ln. 11 – 16, “...XML body...” Col. 33 Ln. 24 – 25).

8. As to claim 16, Zintel teaches the method of claim 14 wherein the step of sending, further comprises the step of: initiating a multiple of status checks of sources to produce status check information; and forwarding status check information in the event data to the event processing server (“...alive...” Col. 39 Ln 9 – 11).

9. As to claims 32 – 34, see the rejection of claims 14 – 16 respectively.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. **Claims 1-13,19-31,37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,167,448 to Hemphill et al. in view of U.S. Pat. No. 6,594,786 B1 to Connelly et al.**

12. As to claim 1, Hemphill teaches an event processing server, a method for processing events comprising the steps of: receiving an event message (“...ENM...” Col. 2 Ln. 10 – 17), identifying event information required to process event data based on the event message (“...locate a file...” Col. 2 Ln. 20 – 23, Col. 2 Ln. 43 – 48, Col. 8 Ln. 27 – 45).

13. Hemphill is silent with reference to determining if existing event information is accessible to process the event data and if the existing event information is not

accessible: (i) providing an event rejection indicating missing event information; and (ii) receiving the missing event information identified in the event rejection

14. Connolly teaches determining if existing event information is accessible to process the event data and if the existing event information is not accessible: (i) providing an event rejection indicating missing event information (Col. 16 Ln. 57 – 67); and (ii) receiving the missing event information identified in the event rejection (“...Step 188...” Col.17 Ln. 10 – 16).

15. It would have been obvious to one of ordinary skill in the art at time the invention was made to combine Connolly and Hemphill because the teaching of Connolly would improve the system of Hemphill by agent-server recovery protocol for notifying a monitored system by a monitoring server (HA server) to correct an error event received therefrom (Connolly Col. 16 Ln. 57 – 63).

16. As to claim 2, Hemphill teaches the method of claim 1 further comprising the steps of: selecting the event information based on the event data received; and generating an event output from the selected event information (Col. 2 Ln. 43 – 48).

17. As to claim 3, Hemphill teaches the method of claim 1 wherein the event message contains event registration information (EAS Files 210 Col. 10 Ln. 63 – 67, Col. 11 Ln. 1 – 10).

18. As to 4, Hemphill teaches the method of claim 1 wherein the event message includes at least one unique identifier identifying the source of the event data (“...DEVICEID...” Col. 9 Ln. 32 – 50, Col. 10 Ln. 38 – 52).

19. As to claim 5, Hemphill teaches the method of claim 4 wherein the step of identifying event information required to process event data identifies the event information required based on the source of the event data (Col. 8 Ln. 43 – 45).

20. As to claim 6, Hemphill teaches the method of claim 1 wherein the event message includes at least one unique identifier identifying event information required to process the event data (“...locate a file...” Col. 2 Ln. 20 – 23, Col. 2 Ln. 43 – 48, Col. 8 Ln. 27 – 45).

21. As to claim 7, Connelly teaches the method of claim 1 wherein the steps of receiving comprise a step of accepting at least one of event registration information, event data and event information mark-up language documents (Step 188 Col. 17 Ln. 14 – 16).

22. As to claim 8, Hemphill teaches the method of claim 1 wherein the event data includes network management data indicating a network management event associated with a source of the event data and wherein the step of receiving event data utilizes a hypertext transport protocol to receive the event data (Col. 10 Ln. 22 – 62).

23. As to claim 9, Connelly teaches the method of claim 1 wherein in the step of determining, if the existing event information is accessible, the method further comprises the steps of: (i) providing an event data destination; and (ii) receiving the event data via the event data destination (Step 190 Col. 17 Ln. 10 – 19, figure 8B Col. 18 Ln. 3 – 14).

24. As to claim 10, Connelly teaches the method of claim 9 wherein the steps of receiving comprise the steps of: reading first and second event data; processing the first and second event data to produce event output data that reflects a hierarchical event relationship between the first and second event data (“...out-of-sequence...” figure 7E Col. 17 Ln. 10 – 19, figure 8B Col. 18 Ln. 3 – 14).

25. As to claim 11, Connelly teaches the method of claim 1 further comprising the step of creating system component status records and wherein the step of receiving the event data further includes the step of: updating a status of the system component status record based on the event data received (“Status change...” Col. 9 Ln. 65 – 67, Col. 10 Ln. 1 – 9).

26. As to claim 12, Hemphill the method of claim 1 wherein the event message contains event data (ENM 207 Col. 10 Ln. 22 – 62).

27. As to claims 13 and 31, see the rejection of claim 3 above.

28. As to claim 19, Hemphill teaches an event processing server for processing event messages comprising: a memory; a communications interface; a processor; and an interconnection mechanism coupling the memory, the processor and the communications interface (Server I/F 221 Col. 8 Ln. 1 – 14), wherein the processor is configured to: receive an event message (Event Processor Logic 222 (ENM 207) Col. 8 Ln. 15 – 26); identify event information required to process event data based on the event message (“...location pointer...” Col. 8 Ln. 27 – 45).

29. Hemphill is silent with reference to determining if existing event information is accessible to process the event data and if the existing event information is not accessible: (i) provide an event rejection indicating missing event information; and (ii) receive the missing event information identified in the event rejection.

30. Connelly teaches determining if existing event information is accessible to process the event data and if the existing event information is not accessible: (i) providing an event rejection indicating missing event information (Col. 16 Ln. 57 – 67); and (ii) receiving the missing event information identified in the event rejection (“...Step 188...” Col.17 Ln. 10 – 16).

31. It would have been obvious to one of ordinary skill in the art at time the invention was made to combine Connelly and Hemphill because the teaching of Connelly would improve the system of Hemphill by agent-server recovery protocol for notifying a

monitored system by a monitoring server (HA server) to correct an error event received therefrom (Connelly Col. 16 Ln. 57 – 63).

32. As to claims 20 – 30, see the rejection of claims 2 – 12 respectively.

33. As to claims 37 and 38, see the rejection of claims 1 and 19 respectively.

34. Claims 17 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,779,044 B1 to Zintel in view of U.S. Pat. No. 6,526,442 B1 to Stupek Jr. et al.

35. As to claim 17, Zintel is silent with reference to the method of claim 14 wherein the step of sending further comprises the step of: periodically sending event data to the event processing server as confirmation of an operating communications channel.

36. Stupek teaches the method of claim 14 wherein the step of sending further comprises the step of: periodically sending event data to the event processing server as confirmation of an operating communications channel (Col. 2 Ln. 54 – 67).

37. It would have obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Stupek and Zintel because the teaching of Stupek would improve the system of Zintel by providing plurality of notices indicative of the state of network to a management engine (Col. 2 Ln. 54 – 67).

38. As to claim 35, see the rejection of claim 17 above.

39. Claims 18 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,779,044 B1 to Zintel in view of U.S. Pat. No. 6,594,786 B1 to Connelly et al.

40. As to claim 18, Zintel is silent with reference to the method of claim 14, further including the steps of: receiving an event rejection indicating missing event information from an event process server; obtaining the missing information; and sending the missing event information to the event processing server.

41. Connelly teaches the method of claim 14, further including the steps of: receiving an event rejection indicating missing event information from an event process server; obtaining the missing information; and sending the missing event information to the event processing server ("...Step 188..." Col.17 Ln. 10 – 16).

42. It would have been obvious to one of ordinary skill in the art at time the invention was made to combine Connelly and Hemphill because the teaching of Connelly would improve the system of Hemphill by agent-server recovery protocol for notifying a monitored system by a monitoring server (HA server) to correct an error event received therefrom (Connelly Col. 16 Ln. 57 – 63).

43. As to claim 36, see the rejection of claim 18 above.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (571) 272-3757. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-Ai can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya
Examiner
Art Unit 2126

cea.


MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100